

FILED

UNITED STATES BANKRUPTCY COURT 03 JAN -7 PM 3:27  
FOR THE DISTRICT OF SOUTH CAROLINA  
BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA

IN RE:

Dennis James Nace and Gail Ellen Nace,  
Debtors.

Case No. 02-08113-B

**NOTICE AND APPLICATION FOR  
SALE OF PROPERTY FREE AND  
CLEAR OF LIENS, AND OF  
OPPORTUNITY FOR HEARING**

Chapter 7

**YOU ARE NOTIFIED** that the trustee is applying for approval to sell the property of the debtor's estate below described free and clear of liens and encumbrances according to the terms and conditions stated below. A copy of the proposed Order accompanies this Notice.

**TAKE FURTHER NOTICE** that any response, return and/or objection to this Notice and Application should be filed with the Clerk of the Bankruptcy Court no later than twenty (20) days from service of the Notice and Application, and a copy simultaneously served on the Chapter 7 Trustee and the U.S. Trustee.

**TAKE FURTHER NOTICE** that no hearing will be held on this Notice and Application for Sale unless a response, return and/or objection is timely filed and served, in which case, the Court will conduct a hearing on **February 19, 2003, at 9:00 a.m.**, at Donald Stuart Russell Federal Courthouse, 201 Magnolia Street, Spartanburg, SC 29306. No further notice of this hearing will be given.

<b>TYPE OF SALE:</b>	Private Sale
<b>PROPERTY TO BE SOLD:</b>	3 Ossarooga Court, Brevard, NC 28712, Transylvania County.
<b>PRICE:</b>	\$188,500.00 in as-is condition (home is not finished)
<b>APPRAISAL VALUE:</b>	No appraisal conducted
<b>NAME OF BUYER:</b>	Jack W. Erter, Jr. and Mary Ann Erter
<b>PLACE / TIME OF SALE:</b>	Upon receipt of order for sale
<b>SALES AGENT:</b>	Connestee Falls Realty; employed 9/13/02
<b>COMPENSATION TO SALES AGENT:</b>	\$11,310.00 (6%)

15  
16

**ESTIMATED TRUSTEE'S  
COMPENSATION ON SALE:**

\$12,675.00

**LIENS/MORTGAGES:**

\$154,000.00 to America's Home Place, Inc.  
\$ 4,057.00 to Conestee Falls Property Assoc.  
\$ 748.00 stamps, taxes, recording fees

**DEBTOR'S EXEMPTION:**

None

**PROCEEDS ESTIMATED TO  
BE PAID TO ESTATE:**

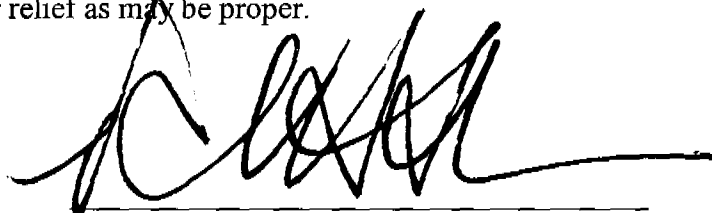
\$5,710.00

Applicant is informed and believes that it would be in the best interest of the estate to sell said property by private sale. Applicant also believes that the funds to be recovered for the estate from the sale of said property justify its sale and the filing of this application.

The court may consider additional offers at any hearing held on this notice and application for sale. The court may order at any hearing that the property be sold to another party on equivalent or more favorable terms.

The trustee may seek appropriate sanctions or other similar relief against any party filing a spurious objection to this notice and application.

WHEREFORE, applicant requests the court issue an order authorizing the sale of said property, and for such other and further relief as may be proper.



Robert F. Anderson, Trustee  
District Court ID #1091  
P.O. Box 76, Columbia, SC 29202-0076  
(803) 252-8600

January 7, 2003

Address of Court:  
J. Bratton Davis United States  
Bankruptcy Courthouse  
P.O. Box 1448, 1100 Laurel Street  
Columbia, SC 29202

Address of U.S. Trustee:  
United States Trustee  
1835 Assembly Street  
Suite 953  
Columbia, SC 29201